

INFORMATION FOR:

HB 706 (Caferro) - Inflation Adjustments for Campaign Contributions
provided by Sheri Heffelfinger, Legislative Research Analyst

13-1-101. Definitions. As used in this title, unless the context clearly indicates otherwise, the following definitions apply:

(1) ...

(7) (a) "Contribution" means:

(i) an advance, gift, loan, conveyance, deposit, payment, or distribution of money or anything of value to influence an election;

(ii) a transfer of funds between political committees;

(iii) the payment by a person other than a candidate or political committee of compensation for the personal services of another person that are rendered to a candidate or political committee.

(b) "Contribution" does not mean:

(i) services provided without compensation by individuals volunteering a portion or all of their time on behalf of a candidate or political committee or meals and lodging provided by individuals in their private residences for a candidate or other individual;

(ii) the cost of any bona fide news story, commentary, or editorial distributed through the facilities of any broadcasting station, newspaper, magazine, or other periodical publication of general circulation;

(iii) the cost of any communication by any membership organization or corporation to its members or stockholders or employees; or

(iv) filing fees paid by the candidate.

(over)

ADMINISTRATIVE RULES OF MONTANA

(c) "Electioneering" does not include the display of ordinary bumper stickers on automobiles. (History: Sec. 13-37-114 MCA; IMP, Sec. 13-35-211 MCA; NEW, 1977 MAR p. 1236, Eff. 12/25/77.)

Rules 12 through 20 reserved

44.10.321 CONTRIBUTION-DEFINITION (1) For the purposes of Title 13, chapters 35 and 37, MCA, and these rules, the term "contribution" as defined in 13-1-101, MCA, includes, but is not limited to:

(a) Each contribution as listed in 13-37-229, MCA;

(b) The purchase of tickets or admissions to, or advertisements in journals or programs for testimonial or fund raising events, including, but not limited to dinners, luncheons, cocktail parties, and rallies held to support or oppose a candidate, issue, or political committee;

(c) A candidate's own money used on behalf of his or her candidacy, except as provided in 13-1-101(6)(b)(iv) and (10)(b)(ii), MCA; and

(d) An in-kind contribution, as defined in (2) of this rule.

(2) The term "in-kind contribution" means the furnishing of services, property, or rights without charge or at a charge which is less than fair market value to a candidate or political committee for the purpose of supporting or opposing any candidate, ballot issue or political committee, except as provided in 13-1-101 (6)(a)(iii) and (6)(b)(i), MCA.

(a) An "in-kind contribution", includes, but is not limited to:

(i) Forgiveness of any loan to or debt of a candidate or political committee;

(ii) Payment of a loan or other debt by a third person;

(iii) An expenditure made at the behest of a candidate or political committee as specified in ARM 44.10.517;

(iv) A "coordinated expenditure" as defined in ARM 44.10.323(4); and

(v) The cost of distributing, republishing or reproducing campaign material (print or broadcast) produced or prepared by a candidate or political committee unless the distribution, republication or reproduction costs are a communication by a membership organization or corporation under 13-1-101(6)(b)(iii) or (10)(b)(iv), MCA.

(3) The fact that the public office being sought by the individual is not known by the contributor or has not yet been determined by the potential candidate at the time that the contribution is made or the fact that a candidate and/or issue being supported or opposed by a political committee is not known by the contributor or has not yet been determined by a political committee at the time that the contribution is made has no effect on the determination or reporting of that contribution. (History: Sec. 13-37-114 MCA; IMP, Sec. 13-1-101(3) MCA; NEW, Eff. 1/1/76; AMD, Eff. 5/7/76; AMD, 1979 MAR p. 652, Eff. 7/1/79; AMD, 1999 MAR p. 2287, Eff. 10/8/99; AMD, 2001 MAR p. 2049, Eff. 10/12/01.)

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